

**PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF NOVEMBER 19, 2002.**

**ATTENDANCE**

**COUNCIL:** Louis C. Benjamin, Jr. (Chair - District 4), Jerry Trumps (Vice Chair - District 6), Bobby Badeaux (District 1), Robert Castille (District 2), Chris Williams (District 3), Lenwood Broussard (District 5), Marc Mouton (District 7), Rob Stevenson (District 8), Randy Menard (District 9)

**ABSENT:** None

**COUNCIL STAFF:** Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk of the Council) and Monica Fontenot (Administrative Assistant)

**ADMINISTRATIVE STAFF:** Walter S. Comeaux, Jr. (City-Parish President), Glenn Weber (CAO), Steve Dupuis (City-Parish Attorney), Becky Lalumia (Director of Finance), Chief Ronald Boudreaux (Police Department), Chief Robert Benoit (Fire Department), Terry Huval (Director of Utilities), Benny Soulier (Director of Administrative Services), John Raines (Director of Public Works), Tim Breaux (Director of Community Development)

**COMMENCEMENT**

(TAPE 1)(SIDE A)(041)AGENDA ITEM NO. 1: Call to order.

Chair Louis Benjamin called the Regular Council Meeting of November 19, 2002 to order.

(TAPE 1)(SIDE A)(043)AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Jerry Trumps was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE A)(065)AGENDA ITEM NO. 3: **EXECUTIVE/PRESIDENT'S REPORT**  
*None*

(TAPE 1)(SIDE A)(068)AGENDA ITEM NO. 4: **COUNCIL ANNOUNCEMENTS**

Councilman Williams encouraged citizens to call Public Works at 291-5666 if they are in need of debris removal assistance from their private property.

**RESOLUTIONS**

(TAPE 1)(SIDE A)(082)AGENDA ITEM NO. 5 R-067-2002 A resolution of the Lafayette City-Parish Council authorizing the filing of an application with the State of Louisiana Office of Rural Development to provide for firefighting equipment for the Judice Volunteer Fire Department. A motion to approve by Menard, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was approved.*

(TAPE 1)(SIDE A)(091)AGENDA ITEM NO. 6 R-068-2002 A resolution of the Lafayette City-Parish Council providing for canvassing the returns and declaring the results of the special election held in the Parish of Lafayette, State of Louisiana, on Tuesday, November 5, 2002, to authorize the incurring of debt and issuance of bonds and the levy of special taxes therein. A motion to approve by Menard, seconded by Trumps, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was approved.*

(TAPE 1)(SIDE A)(099)AGENDA ITEM NO. 7: R-069-2002 A resolution of the Lafayette City-Parish Council providing for canvassing the returns and declaring the results of the special election held in the City of Lafayette, State of Louisiana, on Tuesday, November 5, 2002, to authorize the levy of special taxes therein. A motion to approve by Menard, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was approved.*

### **ORDINANCES FOR FINAL ADOPTION**

(TAPE 1)(SIDE A)(113)AGENDA ITEM NO. 8: O-266-2002 An ordinance of the Lafayette City-Parish Council declaring the building or structure located at municipal address, 1616 Louisiana Avenue, Lafayette, Louisiana, owned by Domas Brothers Equity Trust, Otis H. Domas, Jr. Trustee, Sidney J. Domas, Wanda Yvonne Bertrand and Nola Mae Gautreaux to be dilapidated and dangerous to the public welfare and ordering the condemnation of same. A motion to approve by Menard, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was approved*

(TAPE 1)(SIDE A)(122)AGENDA ITEM NO. 9: O-279-2002 An ordinance of the Lafayette City-Parish Council amending the City Marshal's pay rules to provide for a 3% pay increase. A motion to approve by Trumps, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was approved*

(TAPE 1)(SIDE A)(129)AGENDA ITEM NO. 10: O-280-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government authorizing the increase of revenues in the amount of \$34,045.00 received from the Louisiana Commission on Law Enforcement and Administration of Criminal Justice for the FY 02/03 State DARE Grant and appropriating the same within the Police Department and reducing duplicate salary appropriations in the City General Fund. Grant Period from 7-01-02 to 5-31-03. A motion to approve by Mouton, seconded by Menard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was approved*

(TAPE 1)(SIDE A)(141)AGENDA ITEM NO. 11: O-282-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$29,038 from Meadow Lane/Sunny Lane Drainage Project to Reserve - Drainage. A motion to approve by Menard, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was approved*

Raines confirmed the project is 100% complete.

(TAPE 1)(SIDE A)(157)AGENDA ITEM NO. 12: O-283-2002 An ordinance of the Lafayette City-Parish Council amending Chapter 78 of the Lafayette City-Parish Consolidated Government Code of Ordinances and establishing Section 78-266 which sets forth a procedure for temporary public street closures for purposes other than construction-related activities. A motion to approve by Menard, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Castille, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: Williams

ABSENT: None

RECUSED: None

*Motion was approved.*

Lucius Broussard explained the existing ordinance does not allow for temporary closure of a public street. Public Works has been allowing for closures for special events, block parties, etc. therefore, this ordinance officially establishes a written rule on the allowance of same. Permits are needed for these closures and are at no cost to the citizen. Barricades are not provided by Public Works and are the responsibility of the applicant. Once an applicant has completed the application, the Police and Fire Departments must approve it.

At this time, Chair Benjamin requested to take agenda item no. 14 out of sequence.

(TAPE 1)(SIDE A)(460)AGENDA ITEM NO. 14: O-285-2002 An ordinance of the Lafayette City-Parish Council amending the Fiscal Year 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by authorizing the increase of revenues in the amount of \$36,000 from the Louisiana Commission on Law Enforcement for a grant under the Juvenile Accountability Incentive Block Grant (JAIBG) and \$4,000 from the Juvenile Detention Home for the local match. A motion to approve by Castille, seconded by Menard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: None

RECUSED: None

*Motion was approved*

(TAPE 1)(SIDE A)(477)AGENDA ITEM NO. 13: O-284-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government to provide funding for the implementation of the first phase of the LUS component of the Market-Aligned Pay Plan in the amount of \$443,020. A motion to table by Badeaux, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Stevenson, Menard

NAYS: Castille, Broussard, Trumps, Mouton

ABSENT: None

RECUSED: None

*Motion to table was approved.*

Terry Huval, Director of Utilities, gave a brief presentation. Both the Electric Transmission and Distribution and Power Supply Divisions currently have 25% of its positions vacant. Because of the pay ranges for the positions in these divisions, it has become a challenge to maintain employees. Huval highlighted the following points as the ongoing concerns of LUS:

- Employing high cost contractors to help operate the power plant
- Employing non-local contractors to supplement the Transmission and Distribution Operations staff
- Lack of full staffing resulted in slower restoration time for Hurricane Lili. With full staffing, additional crews could have been brought in reducing the time for total service restoration from 5 days to an estimated 3 ½ days
- Lack of continuity in plant and technical operations requiring intimate knowledge of specific LUS systems
- High turnover resulting in more training of new employees and increased overtime for existing employees to cover the shortfall
- Other companies “cherry picking” experienced and well-trained employees

A process has been developed to determine which positions were most at risk by reviewing the following:

- Vacancy Turnover Rate
- Ability to fill open positions
- Operational impacts of vacancies
- Budget impact of vacancies
- Impacts to supervisors skilled in market-sensitive subordinate positions

In reviewing the market (many from local utilities), market data has indicated a market for these positions at 20-40% higher than existing pay levels.

R.W. Beck was commissioned to develop a market-aligned pay plan using standard industry practices and guidelines were developed defining market sensitivity and mission critical functions. The following are rules that were set that would require annual market update of approved positions:

- No “across-the-board” general increases
- No realignment or “supervisory differential” rules
- No longevity or reallocations rules
- Market pay ranges could decrease based on annual market review
- All non-market related pay adjustments will be based on employee performance

The Civil Service Board has approved the proposed rules along with the first group of positions that are currently being recommended and has also approved “similarly situated” general fund positions in a subsequent meeting. The implementation of the plan requires approval of a reserve to bring all employees in designated positions to the minimum of the new market-based pay ranges and provides a second reserve for initial placement of employees based on individual performance levels. Once the plan is fully implemented, it will reduce LUS net costs by an estimated \$900,000. It will also ensure the public of optimal operation of the utility system and migrate employee motivation from a traditional Civil Service system to a market and performance-based system. Similar benefits could be derived for other LCG positions meeting the set criteria.

(TAPE 1)(SIDE B)(001)

Huval then introduced Daryl Pullin, Senior Director of R.W. Beck, who briefly reviewed the background of the market-aligned plan. In the development of this plan, the market information was submitted to LCG’s Human Resources Division in order to develop pay scales for the new plan. It was discovered there were 40 positions available and have been divided into 3 groups. He explained productivity reduces when an organization does not have the proper manpower.

Dupuis explained during the course of the development of the plan, it was discovered that one could not have a specialized pay plan. It is required that the government honor the constitutional requirement for a uniform pay plan.

Dupuis suggested the Council amend the ordinance to include language in the title which would read: **An ordinance of the Lafayette City-Parish Council approving the market-aligned pay plan component of the Lafayette Consolidated Government’s classification pay plan and amending the FY 02/03 budget.** In Section 1 of the ordinance language would include the following: **The market-aligned pay plan component of the Lafayette Consolidated Government classification pay plan is approved and the FY 02/03 budget.** By adopting these amendments, it would recognize the approval of the MAPP plan as a component and also the funding element with the first phase of employees.

Another amendment that needed to be included was to change the amount of the budget revision from **\$509,780 to \$443,020.** The maker of the motion and the second accepted all amendments.

Badeaux expressed his concerns of the cost effect on the current budget. Weber explained groups of general fund positions were formed that would be comparable to the LUS employees. The cost for implementation of the first group is estimated at \$350,000. To complete all groups that were to be included in the MAPP plan is estimated at a cost of \$700,000 to \$800,000. Weber encouraged the Council to move forward with the MAPP plan for the LUS employees and the Administration will return at a later date with a MAPP plan for the general fund employees. Upon questioning by Williams, Weber stated LUS has long-term sufficient funds to

implement all categories. Unfortunately, there are no monies in the current budget year to support implementation of the MAPP plan with general fund employees. Weber stated he felt some of the classifications from the general fund employees should be revisited. Williams questioned if the net savings from the LUS group could be utilized to fund group one of the general fund employees. Weber responded negatively.

(TAPE 2)(SIDE A)(001)

Huval explained until the positions are filled, LUS would have to continue to hire contractors therefore, the net savings will not be established in the immediate future. Huval stated he hopes to implement the MAPP plan and fill positions within the current fiscal year. Upon questioning by Stevenson, Huval stated out of 92 positions there is a total of 26 that are vacant. Mike Sands, Human Resources Manager, added of the 22 general fund positions that were approved by the Civil Service Board, none were vacant. Stevenson was in support of funding the MAPP plan for the LUS employees but became apprehensive with approving the ordinance with the list of general fund employees once it was discovered this list included no vacancies. Dupuis explained if a list of positions has been approved by the Civil Service Board that are recommended as market sensitive and are not funded within a reasonable period of time, it may open the door for litigation. Sands explained there are no vacancies on the general fund list but when history is applied, the majority of these positions have been very difficult to fill.

After much discussion, Trumps withdrew the amendment that includes the general fund employees, seconded by Menard. At this point, Badeaux offered a motion to table, seconded by Williams, pending the Administration’s submittal of more information in order that the Council may make a validated decision.

(TAPE 2)(SIDE A)(521)AGENDA ITEM NO. 15: ANNOUNCEMENT OF VACANY ON BOARDS/COMMISSIONS

Due to a term expiration, a vacancy will exist on the Heymann Performing Arts & Convention Center Commission for a four year term effective December 8, 2002.

*Individuals wishing to volunteer may submit a resume for the above vacancy and must be a registered voter and resident of Lafayette Parish. Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017-C, Lafayette, LA 70502 no later than noon, Monday, December 2 with Council appointment to be made on December 3, 2002.*

(TAPE 2)(SIDE A)(535)AGENDA ITEM NO. 16: CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS

Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

<u>Appointing Authority</u>	<u>Appointee Name And Address</u>	<u>Board, Commission And/or Legal Agency</u>	<u>Term</u>	<u>Effective Date</u>
District 5	Evangeline Boudreaux 206-B Dublin Circle Lafayette, LA 70506	Crime Prevention Advisory Commission	to fill an unexpired term until 8/17/2003	11/08/2002
Mayor of Broussard	Chief Brannon Decou 1010 N Larriviere Rd Youngsville, LA 70592	Crime Prevention Advisory Commission	to fill an unexpired term until 4/01/2005	11/19/2002

(TAPE 2)(SIDE A)(549)AGENDA ITEM NO. 17 - 29: A motion was offered by Stevenson, seconded by Broussard, to approve for introduction the following ordinances, in-globo, and the vote was as follows:  
YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard  
NAYS: None  
ABSENT: None  
RECUSED: None  
*Motion was approved*

## **INTRODUCTORY ORDINANCES**

17. O-287-2002 An ordinance of the Lafayette City-Parish Council accepting the lowest and best bid for the purchase of Nine Million Nine Hundred Ten Thousand Dollars (\$9,910,000) of Public Improvement Sales Tax Bonds, Series 2003A, of the City of Lafayette, State of Louisiana and providing for other matters in connection therewith.
18. O-288-2002 An ordinance of the Lafayette City-Parish Council accepting the lowest and best bid for the purchase of Thirteen Million Eight Hundred Ninety Thousand Dollars (\$13,890,000) of Public Improvement Sales Tax Bonds, Series 2003B, of the City of Lafayette, State of Louisiana, and providing for other matters in connection therewith.
19. O-289-2002 An ordinance of the Lafayette City-Parish Council providing for the issuance of Nine Million Nine Hundred Ten Thousand Dollars (\$9,910,000) of Public Improvement Sales Tax Bonds, Series 2003A, of the City of Lafayette, State of Louisiana; prescribing the form, fixing the details and providing for the rights of the owners thereof; providing for the payment of such bonds; and providing for other matters in connection therewith.
20. O-290-2002 A Twelfth Supplemental Ordinance amending and supplementing an ordinance (the "General Bond Ordinance") adopted on April 8, 1986 to provide for the issuance of Thirteen Million Eight Hundred Ninety Thousand Dollars (\$13,890,000) principal amount of Public Improvement Sales Tax Bonds, Series 2003B, of the City of Lafayette, State of Louisiana (the "Issuer"), pursuant to the General Bond Ordinance; prescribing the form, fixing the details and providing for the payment of principal of and interest on such Bonds; accepting the best bid for the purchase of the Bonds; and providing for other matters in connection therewith.
21. O-291-2002 An ordinance of the Lafayette City-Parish Council providing for the issuance and sales not exceeding Fourteen Million Five Hundred Thousand Dollars (\$14,500,000) of Public Improvement Sales Tax Refunding Bonds; Series 2003, of the City of Lafayette, State of Louisiana; prescribing the form, and fixing the maturities thereof and providing for the payment of said bonds and the application of the proceeds thereof to the refunding of certain bonds of said City; approving the Official Statement in connection therewith, accepting the offer to purchase by Morgan Keegan & Company, Inc., of New Orleans, Louisiana; and providing for other matters in connection therewith.
22. O-292-2002 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of Miguel Drive.
23. O-293-2002 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a utility easement on the property of United Diesel, L.L.C. and Mid State Properties, L.L.C., having a municipal address of 814 Eraste Landry Road.
24. O-294-2002 An ordinance of the Lafayette City-Parish Council providing for the abandonment of portions of a drainage access on Lot 4-A, Block 17 of Arnould Heights Subdivision, Ext. No. 2, having a municipal address of 104 Wells Street.
25. O-295-2002 An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of a drainage easement on Lot #4 of Eureka Plantation Subdivision, having a municipal address of 100 Shadows Drive.
26. O-296-2002 An ordinance of the Lafayette City-Parish Council abandoning a certain drainage easement situated in Fernewood Subdivision, Phases IV, V and IX and authorizing the execution of an Act of Abandonment of said easement.
27. O-297-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by increasing revenues in the amount of \$33,468 to reflect actual collections for the Acadiana Recovery Center within the Department of Community Development.

- 28.     O-298-2002 An ordinance of the Lafayette City-Parish Council amending the FY 02/03 Operating Budget of the Lafayette City-Parish Consolidated Government by increasing revenue in the amount of \$93,075 of funds received from the Department of Health and Hospitals Office for Addictive Disorders and increasing the salaries of the Administrator, Medical Services Coordinator, Clinical Services Coordinator, and the Administrative Specialist I by 3 percent and adding one (1) part time Psyche Aide for the Acadiana Recovery Center within the Department of Community Development.
  
- 29.     O-299-2002 An ordinance of the Lafayette City-Parish Council approving the renewal application submitted by Real Estate Tax Group, L.L.C. for participation in the State of Louisiana Restoration Tax Abatement Program
  
- 30.     Comments from the public concerning the above Introductory Ordinances.  
          *None*

(TAPE 2)(SIDE A)(663)

**ADJOURN**

There being no further business to come before the Council, Chair Benjamin declared the regular Council meeting adjourned.

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Norma A. Dugas  
Clerk of the Council